

22 January 1990

MEMORANDUM

SUBJECT: Update on Jesuit Killings

1. The Salvadoran Government on 12 January arrested nine soldiers, including Colonel Guillermo Benavides,* for the murder of six Jesuit priests and two church workers at the University of Central America (UCA) last November. The arrests culminated a broad investigation authorized by President Alfredo Cristiani that enlisted technical help from the US, Scotland Yard, and the Spanish Government. Progress initially was hindered by poor coordination among the US-trained Special Investigative Unit (SIU), the Attorney General's office, and other groups participating in the process, as well as conflicting testimony from witnesses [REDACTED]

2. Ballistics tests and statements by military personnel, however, eventually implicated the suspects, all members of the Army's Atlacatl Battalion. Benavides was commander of the Military School where part of the Atlacatl was assigned. He had operational control over the university area the night of the killings. The other soldiers arrested are:

1. Lt. Yussy Rene MENDOZA Vallecios
2. Lt. Jose Ricardo ESPINOZA Guerra
3. Sub. Lt. Gonzalo GUEVARRA Cerritos
4. Sub. Lt. Antonio Ramiro AVALOS Vargas
5. Sub. Lt. Tomas ZAPATE Castillo
6. Cpl. Angel PEREZ Vasquez
7. Pvt. Oscar Armando AMAYA Gremaldi
8. Pvt. Jorge Alberto SIERRA Asencio ([REDACTED] deserted in late December, current whereabouts unknown) [REDACTED]

* Colonel Benavides, a Tandon member, has been criticized for his less than aggressive posture against the insurgents as commander of the Belloso Immediate Reaction Battalion in 1986; during the early 1980s, while serving in Morazan Department, he [REDACTED] earned a reputation as an abuser of human rights.

Approved for Release
Date MAY 1994

[REDACTED]

[REDACTED]

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3. The biggest break in the case came when investigators and military leaders learned that Col. Benavides had admitted privately to SIU director Lt. Colonel Rivas that he was responsible for the killings, [REDACTED]. On 2 January, [REDACTED] told the US Milgroup commander that the Army's C-5, [REDACTED] had told him of Col. Benavides's alleged statements on 20 December. The [REDACTED] then passed the information to Army Chief of Staff Colonel Ponce, Defense Minister General Larios, and President Cristiani. [REDACTED]

4. Despite his [REDACTED] private admission, Benavides thus far has denied his role in the crime. [REDACTED] investigation, Benavides instructed the Atlacatl Battalion to "break" the leftist leadership at UCA. The Salvadoran Government believes members of the battalion, who had searched the UCA campus two days before, reentered the compound on 16 November, shot the priests, and returned to the military school where Lt. Espinoza--who allegedly gave the order to shoot--reported completion of the "mission" to Col. Benavides. [REDACTED] the government investigation, Benavides did not report this action to the High Command and lied to SIU investigators about his troop deployments the night of the 16th. As far as we know, the government investigation has not uncovered any links between Benavides and ARENA leader Roberto D'Aubuisson, who [REDACTED] vilified [REDACTED] the slain priests in a meeting with close associates only hours before the murders) [REDACTED]

5. The process of turning over evidence in the case to a civilian court began on 16 January. The court ruled on 19 January that there is sufficient evidence to detain the nine suspects and move forward with criminal proceedings. The suspects may now request bail as the case moves toward the trial stage. According to Salvadoran law, a soldier must first be cashiered from the Armed Forces before he can be tried for a crime such as murder. We cannot confirm that any of the nine has yet been cashiered. [REDACTED]

Armed Forces Reaction

6. [REDACTED] indicates that despite some grumbling, Salvadoran military personnel largely support the investigation. Most officers realize that US military aid and the reputation of the Armed Forces are at stake and, therefore, hope for a quick resolution to the killings even if Army officers are implicated. Chief of Staff Ponce and

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members of the High Command have cooperated with all requests for information. [REDACTED] Many junior officers, [REDACTED] accept the necessity of bringing some of their own to justice if solid evidence points to their involvement and as long as senior officers are not protected. Some may take pleasure in Col. Benavides going to trial, given their resentment of the domination of key military posts by Tandon members and their desire to remove perceived ineffective or corrupt leaders. [REDACTED]

7. Despite overall military support for the investigation, [REDACTED] that morale could decline as a result of growing outside scrutiny, criticism, and pressure to punish military personnel even before the investigation and criminal proceedings are completed. The military's sense that it is under a microscope is adding to anxieties caused by the recent FMLN offensive and pending changes in military assignments. Many officers could become resentful if they perceive the investigation and arrests were carried out only to appease Washington. Junior officer support for the process could also decline if they come to believe that senior officers implicated in the killings will go unpunished, as in the past. However, Cristiani and military leaders, [REDACTED] probably can temper such reaction by meeting regularly with officers to explain the legal proceedings and address their concerns. [REDACTED]

Other Reaction

8. The highly publicized investigation and Cristiani's announcement of the arrests of military suspects have been well received by domestic and international groups keenly focused on the Jesuit case. Catholic Church leaders and opposition parties cited the arrests as a significant first step, but are demanding that those responsible for the slayings be punished and that the government work to prevent future abuses. Jesuit leaders in Spain--most Jesuits in El Salvador are Spanish--gave cautious praise for the investigation and arrests but also insist upon a conviction in the case before they can be convinced of the Salvadoran Government's commitment to human rights. [REDACTED]

9. The guerrillas, who have accrued significant propaganda points from the Jesuit killings, immediately claimed that those arrested are merely scapegoats for systemic government and military abuses. Regardless of how the case proceeds, the FMLN almost certainly will continue to charge that Cristiani is controlled by the military and is assisting with a "cover-up" of

[REDACTED]

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wider military involvement in the killings. The guerrillas probably calculate that these allegations, along with their repeated calls for deep purges of the Armed Forces, will foment tensions between military and civilian leaders and within the Armed Forces. [REDACTED]

The Government's Next Steps

10. Despite progress thus far, several hurdles remain which could drag out the legal proceedings and delay a quick resolution. Foremost among them is the poor quality of civilian justices who often are easily intimidated, bribed, and subjected to political pressures in such controversial cases. Several judges have been murdered in the past. No senior officer has ever been tried or sentenced in a human rights case in El Salvador, adding even more pressure on the civilian judge. Although the government has tried to ensure a thorough and technically sound investigation, El Salvador's rules of evidence are archaic at best and there is no guarantee of a conviction. With the case now in the courts, Cristiani almost certainly will work behind the scenes to try to ensure that the suspects are not released on minor technicalities. [REDACTED]